

**UNITED STATES DISTRICT COURT  
DISTRICT OF PUERTO RICO**

<p>In re:</p> <p>THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO,</p> <p>as representative of</p> <p>THE COMMONWEALTH OF PUERTO RICO, <i>et al.</i>,</p> <p style="text-align: center;">Debtors.<sup>1</sup></p>	<p>PROMESA Title III</p> <p>No. 17 BK 3283-LTS (Jointly Administered)</p>
<p>In re:</p> <p>THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO,</p> <p>as representative of</p> <p>THE PUERTO RICO HIGHWAYS AND TRANSPORTATION AUTHORITY,</p> <p style="text-align: center;">Debtor.</p>	<p>PROMESA Title III</p> <p>No. 17 BK 3567-LTS (Jointly Administered)</p> <p><b>Re: ECF Nos. 1240, 1318, 1350, 1372<sup>2</sup></b></p>

**NOTICE OF WITHDRAWAL OF THE PUERTO RICO FISCAL AGENCY AND  
FINANCIAL ADVISORY AUTHORITY'S NOTICE OF INTENTION TO CROSS-  
EXAMINE WITNESSES IN CONNECTION WITH THE FOURTH  
AMENDED TITLE III PLAN OF ADJUSTMENT OF THE  
PUERTO RICO HIGHWAYS AND TRANSPORTATION AUTHORITY**

<sup>1</sup> The Debtors in these Title III cases, along with each Debtor's respective Title III case number listed as a bankruptcy case number due to software limitations and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the "Commonwealth") (Bankruptcy Case No. 17-BK-3283 (LTS)) (Last Four Digits of Federal Tax ID: 3481), (ii) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566 (LTS)) (Last Four Digits of Federal Tax ID: 9686), (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567 (LTS)) (Last Four Digits of Federal Tax ID: 3808), (iv) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284 (LTS)) (Last Four Digits of Federal Tax ID: 8474), (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780 (LTS)) (Last Four Digits of Federal Tax ID: 3747), and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523 (LTS)) (Last Four Digits of Federal Tax ID: 3801).

<sup>2</sup> Unless otherwise specified, ECF numbers refer to the HTA Title III case.

To the Honorable United States District Judge Laura Taylor Swain:

The Puerto Rico Fiscal Agency and Financial Advisory Authority (“AAFAF”), through undersigned counsel, hereby withdraws its *Notice of Intention to Cross-Examine Witnesses in Connection With the Fourth Amended Title III Plan of Adjustment of the Puerto Rico Highways and Transportation Authority* (the “Cross-Examine Notice”), and states as follows:

1. On July 28, 2022, AAFAF filed its *Limited Objection To Section 2.4 Of The Third Amended Title III Plan Of Adjustment Of The Puerto Rico Highways And Transportation Authority* (the “Limited Objection”) (Case No. 17-03567, ECF No. 1318).<sup>3</sup>

2. On August 12, 2022, pursuant to the *Order Setting Deadline To Provide Notice Of Intention To Cross-Examine Witnesses In Connection With Hearing On Confirmation Of HTA Plan Of Adjustment* (the “Order”) (Case No. 17-03567, ECF No. 1364), AAFAF filed the Cross-Examine Notice, stating its intent to cross-examine David A. Skeel, Jr. and David Brownstein in connection with the request for confirmation of the Plan.

3. On August 12, 2022, AAFAF reached an agreement with the Oversight Board to settle its Limited Objection (the “Settlement”), which includes certain amendments to section 2.4 of the Plan.<sup>4</sup> In light of the Settlement, AAFAF hereby withdraws the Cross-Examine Notice.

#### **RESERVATION OF RIGHTS**

4. AAFAF reserves its rights as to any Plan, Plan Supplement, or proposed Confirmation Order provision added or amended hereafter. In addition, AAFAF specifically reserves its right to object to the *Proposed Findings of Fact and Conclusions of Law in Connection*

---

<sup>3</sup> Capitalized terms used but not otherwise defined herein have the meaning ascribed to them in the Limited Objection.

<sup>4</sup> Promptly after the filing of an amended Plan reflecting these amendments, AAFAF intends to file a notice of withdrawal of the Limited Objection.

*with Confirmation of Fourth Amended Title III Plan of Adjustment of the Puerto Rico Highways and Transportation Authority* [ECF No. 1363] and address any potential unresolved issues at the confirmation hearing, if necessary.

*[Remainder of this page intentionally left blank.]*

Dated: August 12, 2022  
San Juan, Puerto Rico

Respectfully submitted,

**O'MELVENY & MYERS LLP**

/s/ Peter Friedman

John J. Rapisardi  
Peter Friedman  
Maria J. DiConza  
Matthew P. Kremer  
(Admitted Pro Hac Vice)  
7 Times Square  
New York, New York 10036  
Telephone: (212) 326-2000  
Facsimile: (212) 326-2061  
Email: jrapisardi@omm.com  
pfriedman@omm.com  
mdiconza@omm.com  
mkremer@omm.com

*Attorneys for the Puerto Rico Fiscal Agency  
and Financial Advisory Authority*

**MARINI PIETRANTONI MUÑIZ LLC**

/s/ Luis C. Marini-Biaggi

Luis C. Marini-Biaggi  
USDC No. 222301  
Carolina Velaz-Rivero  
USDC No. 300913  
250 Ponce de León Ave., Suite 900  
San Juan, Puerto Rico 00918  
Telephone: (787) 705-2171  
Facsimile: (787) 936-7494

*Attorneys for the Puerto Rico Fiscal Agency  
and Financial Advisory Authority*